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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,261	04/12/2001	John Isaac Chandan Gomes	70006553-3	2747

7590 12/18/2003  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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HANNE, SARA M

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 12/18/2003

94

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicati n No.

09/834,261

Applicant(s)

GOMES ET AL.

Examiner

Sara M Hanne

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Pri rity under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: .

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## DETAILED ACTION

### *Claim Objections*

1. Claim 9 is objected to for being in improper dependent form. Claim 9 recites the limitation "The process of claim 9" in line 1 making it dependent upon itself. Claims should only depend upon previously stated claims and therefore it is unclear which claim the applicant intended Claim 9 to depend upon. See MPEP § 608.01(n). Appropriate correction is required. For examining purposes, Claim 9 has been treated as if it depends upon Claim 1.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claim 1-7 and 10-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Sandelman et al., US Patent 6211782. As in Claims 1, 10 and 12 of the application, Sandelman et al. teaches a process to apply remotely stored information (information sent by the sensors, reference numbers '2'-'5') to an appliance using a mobile device ("cellular telephone network" Claim 19 and Figure 1, User-Web Client '121') using a network that sends instructions from the mobile device to a first computer system (Figure 1, Electronic Message Delivery Server '1') which routes information to the appropriate appliance (Claim 1). The

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process is done by designating which piece of remote information to be processed in the instructions in the mobile device (Claims 1 and 19), retrieving that information and converting it to a format suitable for the appliance, claim 12, (Figures 3a-d, step 12) and applying that information to the appliance according to the instructions ("forwarding outgoing exception messages ... to at least one user-defined communication device", Claim 2). Further in reference to Claim 10, Sandelman et al. teaches an interface to receive the instructions (interface unit of Claim 1) and a sub-computer system connected to the interface to process instructions, retrieve the information and pass it to the designated appliance ("central computer server transmits said command messages to said remote equipment", Claim 1).

As in Claims 2-4 and 11 of the application, Sandelman et al. teaches several appliances connected through and registered with the first computer system (Figure 1, reference numbers 6-9) and that the appliances are designated by the mobile device in the instructions through an appliance id (message delivery server, Column 6, Line 41).

As in Claims 5 and 11 of the application, Sandelman et al. teaches the mobile device designating the information to be sent by including it's location in the instructions sent ("electronic serial number (ESN) of the interface, a number which identifies the physical hardware of the device", column 5, lines 4-5).

As in Claim 6 of the application, Sandelman et al. teaches a gateway, such as the Internet Service Provider used to connect the user to the Internet, included in the first network, which communicates with the mobile device using

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Standard Telecommunications Protocols ("Messages from some of the interface units 10 may be delivered by means of wireless transmission over the cellular telephone network", columns 7-8, lines 66-1 respectively) where the gateway converts the instructions to a format compatible with the first computer system ("The user can enter commands at the website or other Internet interface, and those commands are forwarded to the server 1.", Column 9, lines 2-3).

Sandelman et al. teaches, as in Claims 7 and 14 of the application, the information is stored in a second computer system ("equipment is fitted with an interface unit 10", column 6, lines 33-34 and the sensors mentioned *supra* are a second system as seen in Figure 1).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandelman et al. in further view of Mensing et al. Sandelman et al. teaches a process of using a mobile device to sending instructions to a first computer system to access remotely stored information as recited in Claims 1-7 and 10-12 of the application. While Sandelman et al. teaches such a system to control remote data accessing by a mobile device to be sent to a remote

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appliances such as Fax machines and pagers as seen *supra*, they fail to show the sending of information to a printer such that the information is formatted to be printed such as in a PDL format prior to being sent as recited in the claims.

Mensing et al. teaches a system of remote data accessing which sends information to remote locations (Figure 1) through a first computer system (the server, reference '25') using an interface ("any suitable interface for receiving job files", Column 5, lines 34-35) similar to that of Sandelman et al. In addition, Mensing et al. further teaches the control of printing apparatuses and a method for converting the information to an appropriate format by a first computer system prior to being sent to the remote printer (Figure 2). Further in reference to Claim 9 of the application, the first computer system converts the information to a PDL format for printing ("Print Data file expressed in a PDL", Column 3, line 53).

It would have been obvious to one of ordinary skill in the art, having the teachings of Sandelman et al. and Mensing et al. before him at the time the invention was made, to modify the mobile control system of remote appliances for remote data accessing taught by Sandelman et al. to include the printers and format processing method of Mensing et al., in order to obtain control of not just remote appliances, but printers as well. One would have been motivated to make such a combination because a remote printing system would have been obtained, as taught by Mensing et al.

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**Conclusion**

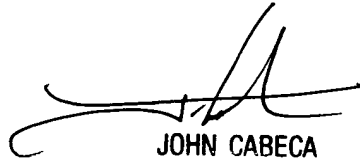
6. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar remote control systems for devices and remote accessing methods.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

smh

  
JOHN CABECA  
SUPERVISORY INVENT EXAMINER  
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